

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Hykeem Earl Gaymon

Docket No. 7:11-CR-27-1BO

Petition for Action on Supervised Release

COMES NOW John A. Cooper, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Hykeem Earl Gaymon, who, upon an earlier plea of guilty to 18 U.S.C. §§ 922(g)(1) and 924(a)(2), Possession of a Firearm by a Felon, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on August 23, 2011, to the custody of the Bureau of Prisons for a term of 30 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. While on supervised release, the defendant shall not take part in any gang activity or associate with any gang member.

Hykeem Earl Gaymon was released from custody on January 18, 2013, at which time the term of supervised release commenced. Since his release, Gaymon has been reported to the court for three incidents of drug use (marijuana), and one law violation, Driving While License Revoked. On February 28, 2013, the court imposed the following additional conditions of supervision:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall participate in a cognitive behavioral program as directed by the probation office.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On May 13, 2013, Gaymon appeared in New Hanover County District Court Wilmington, NC, for the aforementioned Driving While License Revoked charge. It was discovered at that time, Gaymon had two outstanding warrants for Assault on a Female and Breaking and Entering, which occurred on March 13, 2013. He was taken into custody by the courtroom sheriff's deputy and told to sit and wait to appear before the judge. Gaymon attempted to flee the courtroom but was apprehended and placed in custody under a \$100,000 bond. No additional charges were filed.

On June 10, 2013, Gaymon appeared back in court for the Assault on a Female and Breaking and Entering charges, and the victim, Akena Howard, Gaymon's girlfriend, requested the state court dismiss the charges and Gaymon was released from custody. However, he admitted to the probation

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officer that he committed the conduct described in the warrants and assaulted his girlfriend. The victim was not injured in this incident and continues to have a relationship with Gaymon. As such, we are recommending the court continue supervision but modify the conditions by placing Gaymon on home detention for a period of 90 days with electronic monitoring. He will reside with his mother and sister during this time and resume supervision under the previous conditions imposed by the court.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 90 consecutive days. The defendant shall be restricted to his residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer. The defendant shall pay for electronic monitoring services as directed by the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

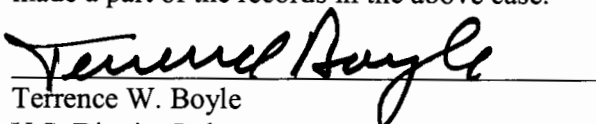
/s/ Robert L. Thornton
Robert L. Thornton
Supervising U.S. Probation Officer

I declare under penalty of perjury that the foregoing is true and correct.

/s/ John A. Cooper
John A. Cooper
U.S. Probation Officer
2 Princess Street, Suite 308
Wilmington, NC 28401-3958
Phone: 910-815-4857
Executed On: June 12, 2013

ORDER OF COURT

Considered and ordered this 17 day of June, 2013, and ordered filed and made a part of the records in the above case.


Terrence W. Boyle
U.S. District Judge